

# CONSERVATORSHIP

# 1

## Get a Permanent Appointment for a Minor

Part 1: Preparing the First Court Papers  
(Forms Packet)



## SELF-SERVICE CENTER

### FOR APPOINTMENT OF A PERMANENT CONSERVATOR FOR A MINOR

#### PART 1: Preparing the First Court Papers (Forms Only)

This packet contains court forms to prepare the first court papers for a permanent appointment of a conservator of a minor. Be sure the documents are in the following order:

Order	File Number	Title	No. Pp.
1	PBCM1ft	Table of forms in this packet	1
2	PBCM1k	Checklist on Appointment of a Conservator	1
3	PB10f	<b><i>“Probate Cover Sheet”</i></b>	2
4	PB11f	<b><i>“Probate Info Sheet”</i></b>	1
5	PBCM12f	<b><i>“Petition for Permanent Appointment of a Conservator”</i></b>	3
6	PBGCM11f	<b><i>“Consent of Parent to Guardian and/or Conservator of a Minor Child and Waiver of Notice”</i></b>	1
7	PBGC11f	<b><i>“Affidavit of Person to be Appointed Guardian and/or Conservator”</i></b>	3
8	PBGCM13f	Instructions and <b><i>“Request for a Hearing Date for Permanent Appointment of Guardian and/or Conservator”</i></b>	1

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## Self-Service Center

# APPOINTMENT OF CONSERVATOR FOR A MINOR CHECKLIST

Use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You want to have the court appoint a conservator for a minor, and you know that you do not need the court to appoint a guardian for the minor.  
AND
- ✓ The minor lives in Maricopa County. AND
- ✓ The parents have signed or will sign a ***“Voluntary Consent.”***

**Information about when a Conservator is needed:** A minor generally needs a conservator:

1. If the minor owns money or property in excess of \$5,000 that requires management or protection which cannot be otherwise provided;
2. The minor has business affairs/assets which may be jeopardized or prevented by his or her being a minor; and/or
3. The minor needs funds for his or her support and education and protection is necessary or desirable to obtain or provide the funds.

**Information about when a Guardian is needed:** A minor generally needs a guardian:

1. If the minor needs the care and supervision of an adult, which is not presently available.

**READ ME:** It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self-Service Center has a list of lawyers who can give you legal advice and can help you on a task-by-task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff.

# SUPERIOR COURT OF ARIZONA COUNTY OF MARICOPA

## PROBATE COVER SHEET

Case Number: \_\_\_\_\_

Pursuant to Rule 3.1 (a) of the Superior Court Local Rules, Maricopa County, please provide the following information. (Type or Print)

\_\_\_\_\_  
DECEDENT'S OR WARD'S NAME\_\_\_\_\_  
DECEDENT'S OR WARD'S ADDRESS\_\_\_\_\_  
PETITIONER'S NAME\_\_\_\_\_  
PETITIONER'S ADDRESS\_\_\_\_\_  
PETITIONER'S ATTORNEY\_\_\_\_\_  
Name and State Bar Number\_\_\_\_\_  
REASON FEES NOT PAID:☐ Government Charge☐ Deferred**Check Superior Court Location Requested:**☐ Downtown Phoenix☐ Northeast Regional☐ Southeast Regional (Mesa)☐ Northwest Regional (Surprise)**NATURE OF ACTION**

Place an "X" next to the number which describes the nature of the case. Please check only **ONE** nature of action.

**200 ESTATE**

\_\_\_\_ 201 Formal Appointment of Personal Representative

\_\_\_\_ 202 Informal Appointment of Personal Representative

\_\_\_\_ 203 Ancillary Administration

\_\_\_\_ 204 Affidavit of Succession to Realty

\_\_\_\_ 205 Trust Administration

\_\_\_\_ 206 Formal Probate of Will

\_\_\_\_ 207 Informal Probate of Will

\_\_\_\_ 208 Proof of Authority

\_\_\_\_ 210 Other \_\_\_\_\_

Specify

\_\_\_\_ 211 Single Transaction/Limited Conservatorship

\_\_\_\_ 212 Foreign Domiciliary

**220 CONSERVATOR**

\_\_\_\_ 221 Minor

\_\_\_\_ 222 Adult Incapacitated Person

**230 GUARDIANSHIP**

\_\_\_\_ 231 Minor

\_\_\_\_ 232 Adult protected Person

\_\_\_\_ 233 Adult Incapacitated Person (Mental Health Powers)

**240 GUARDIANSHIP-CONSERVATOR COMBINATION**

\_\_\_\_ 241 Minor

\_\_\_\_ 242 Adult Incapacitated Protected Person

\_\_\_\_ 243 Adult Protected Person (Mental Health Powers)

## PROBATE COVER SHEET - Continued

NAME(S) OF MINOR CHILD(REN):

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BIRTH DATE(S) OF MINOR CHILD(REN):

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To the best of my knowledge, all information is true and correct.

(If you need additional space, use the next page.)

NAME(S) OF ANY MINOR CHILD(REN):

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Petitioner or Attorney Signature

BIRTH DATE(S) OF MINOR CHILD(REN):

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## NOTICE

Effective July 1, 1987 and pursuant to Superior Court (Maricopa County) Local Rule 3.1 (a), the Superior Court requests that a "Cover Sheet", which categorizes the cause of action, accompany any new action filed with the Superior Court in Maricopa County. For this reason, this form has been developed. The Cover Sheet will result in increased accuracy of court records and statistics, and in reduced processing time for new case filings.

Copies of this Cover Sheet will be made available at the Probate Registrar's Office for the Clerk of the Superior Court.

PLEASE DO NOT INCLUDE THIS FORM WITH CASES THAT HAVE ALREADY BEEN FILED. This form can only be processed **at the time of filing** New Complaints and Petitions.

Thank you for assisting us with our efforts to improve service.

Name of Person Filing Document: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_  
 Attorney Bar Number (if applicable): \_\_\_\_\_  
 Representing ☐ Self or ☐ Attorney for \_\_\_\_\_

## SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of the Guardianship of: \_\_\_\_\_

Case Number PB: \_\_\_\_\_

\_\_\_\_\_

A Minor/An Adult

### Probate Information Sheet

**THIS FORM IS TO BE COMPLETED BY THE PETITIONER(S) AND RETURNED  
TO THE CLERK AT THE TIME OF THE HEARING.**

DESCRIPTION OF	PETITIONER	CO-PETITIONER
Name		
Address		
City, State, Zip		
Telephone Number	(     )	(     )
Date of Birth		
Social Security Number		
Passport Number		
Ethnicity		
Height		
Weight		
Color of Hair		
Color of Eyes		
Relationship to allegedly incapacitated person/person to be protected		

Private Fiduciary Certification or Licensing Number: \_\_\_\_\_

Date of birth of Minor(s) (if applicable): \_\_\_\_\_

Is the person you are seeking to assist a foreign national? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please specify country \_\_\_\_\_

Name of Person Filing Document: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Attorney Bar Number (if applicable): \_\_\_\_\_

Representing: ☐ Self without a lawyer OR☐ Attorney for \_\_\_\_\_

## SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of the Conservatorship of:

Case Number PB: \_\_\_\_\_

### PETITION FOR PERMANENT APPOINTMENT OF CONSERVATORSHIP OF A MINOR

\_\_\_\_\_  
a Minor.

### REQUIRED INFORMATION FROM PETITIONER, UNDER OATH:

#### 1. INFORMATION ABOUT ME. I am called the Petitioner:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

My relationship to the person I say needs a conservator is: \_\_\_\_\_

#### 2. INFORMATION ABOUT THE MINOR I SAY NEEDS A CONSERVATOR. The minor is called the proposed protected person for a conservatorship:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

The minor is ☐ married or ☐ unmarried.

#### 3. PERSON(S) ENTITLED TO NOTICE of the court matter under Arizona law, A.R.S. 14-5405 for conservators, and to whom I will give notice of this case: (See instructions)

Name	Address	Relationship to Person Who I Say Needs a Conservator
A. _____	_____	_____
B. _____	_____	_____
C. _____	_____	_____
D. _____	_____	_____

4. **ASSETS OF THE MINOR WHOM I SAY NEEDS A CONSERVATOR:** (check one box)  
☐ The Minor has no substantial assets or income. No bond by Petitioner is required; OR  
☐ The Minor has assets and/or annual income in the approximate amount of \$\_\_\_\_\_. Explain:  
 \_\_\_\_\_  
 \_\_\_\_\_

5. **PERSON TO BE APPOINTED CONSERVATOR** (Complete this only if the person is a different person than Petitioner):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Driver License Number: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

Relationship to the person I say needs a conservator: \_\_\_\_\_

6. **INFORMATION REGARDING GUARDIANSHIP/CONSERVATORSHIP.** To the best of my knowledge, (check one box):

- ☐ No Guardian or Conservator has been appointed by Will or by any court order, and no court proceedings are pending for such appointment; OR  
☐ Someone has been appointed Guardian or Conservator or court proceedings are pending. Explain who, when, in what court, and if the appointee is guardian or conservator):

7. **REASONS FOR CONSERVATORSHIP:** The Minor needs a Conservator because:

- ☐ The Minor owns money or property that requires management or protection which cannot be otherwise provided.  
☐ The Minor may have business affairs which may be jeopardized or prevented by his or her minority.  
☐ The Minor needs funds for his or her support and education and protection is necessary or desirable to obtain or provide funds.

8. **REASON FOR REQUESTED PERSON TO BE APPOINTED CONSERVATOR:** Either I myself or the person requested to be appointed in Paragraph 5 has priority for appointment under Arizona Law, A.R.S. § 14-5410 because (check one or more that you think apply to the relationship to the minor):

- ☐ Proposed appointee is an individual nominated by the Minor who is fourteen (14) or more years of age and who has sufficient mental capacity to make an intelligent choice.



- ☐ Proposed appointee is the spouse of the Minor.
- ☐ Proposed appointee is a parent of the Minor.
- ☐ Proposed appointee is a person selected by the Will of a deceased parent.
- ☐ Proposed appointee is a relative of the Minor with whom the Minor has lived for more than (6) months prior to the filing of the Petition.
- ☐ Proposed appointee has been selected by the person who is caring for the Minor or paying benefits to the Minor.
- ☐ Written consent of the parent(s) to the conservatorship.

**REQUIRED STATEMENTS TO THE COURT, UNDER OATH: (Note: you must check each box as true, and all these statements must be true, or you cannot file this Petition)**

9. ☐ True. Venue (the court in which you are filing this Petition) is proper in this county because the Minor who is said to need a conservatorship lives in or is present in this county or the person to be protected has assets in this county.
10. ☐ True. The person who is requested to be the conservator has completed the required document called **Affidavit of Person to be Appointed as Conservator of a Minor** and is filing that Affidavit with this Petition as required by Arizona law, A.R.S. §14-5106.
12. ☐ True. I or the person I request to be appointed in Paragraph 5 is a suitable and proper person to act as conservator and is entitled to consideration for appointment under Arizona Law, A.R.S. § 14-5106, and/or 14-5410.

**REQUESTS TO THE COURT FOR AN ORDER, UNDER OATH:**

1. Schedule a hearing to determine if a Conservatorship is appropriate;
2. After Petitioner gives notice of the hearing to all interested persons and to those required by law, hold a hearing to determine if the Court should order a Conservatorship;
3. Appoint a Conservator of the proposed Minor according to the type of petition filed as checked in the Title of the Petition on the first page;
4. Make any other orders the Court decides are in the best interests of the proposed the Minor.

**OATH OR AFFIRMATION AND VERIFICATION**

**I swear or affirm that the information on this document is true and correct under penalty of perjury.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Sworn to or Affirmed before me this: \_\_\_\_\_ by \_\_\_\_\_  
(date)

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk or Notary Public

Name of Person Filing Document: \_\_\_\_\_  
 Your Address: \_\_\_\_\_  
 Your City, State, Zip Code: \_\_\_\_\_  
 Your Telephone Number: \_\_\_\_\_  
 Attorney Bar Number (if applicable): \_\_\_\_\_  
 Representing ☐ Self ☐ Attorney for \_\_\_\_\_

## SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of (check one or both)

Case Number: PB \_\_\_\_\_

☐ The Guardianship ☐ Conservatorship of

**CONSENT OF PARENT TO**  
☐ **GUARDIANSHIP and/or**  
☐ **CONSERVATORSHIP**  
**OF A MINOR CHILD AND**  
**WAIVER OF NOTICE**

\_\_\_\_\_ a Minor.

### REQUIRED INFORMATION FROM PARENT, UNDER OATH:

#### 1. INFORMATION ABOUT ME:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

I am the natural ☐ MOTHER or ☐ FATHER of the minor child(ren) named above, who needs a guardian and/or conservator.

2. I have read the Petition for Permanent Appointment of a Guardian and/or Conservator for a Minor and consent to the appointment of (name) \_\_\_\_\_ to be the guardian of the minor child(ren).

3. I waive notice of all further proceedings in this matter.

#### OATH OF THE PARENT

**STATE OF ARIZONA )**  
**MARICOPA COUNTY )ss.**

I have read, understood, and completed the above statements. Everything I have said is true and correct to the best of my knowledge, information and belief.

SIGNATURE: \_\_\_\_\_

SUBSCRIBED AND SWORN to me this date: \_\_\_\_\_ by \_\_\_\_\_  
 (Month/Day/Year)

My Commission Expires:

NOTARY PUBLIC: \_\_\_\_\_

Name of Person Filing Document: \_\_\_\_\_

Your Address: \_\_\_\_\_

Your City, State, Zip Code: \_\_\_\_\_

Your Telephone Number: \_\_\_\_\_

Attorney Bar Number (if applicable): \_\_\_\_\_

Representing ☐ Self (Without a Lawyer) OR ☐ Attorney for: \_\_\_\_\_

## SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of the  
Guardianship and/or Conservatorship of

Case Number: PB \_\_\_\_\_

### AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN AND/OR CONSERVATOR

☐ an Adult or ☐ a Minor

**INSTRUCTIONS:** The person who wants to be appointed the guardian and/or conservator must answer each statement as TRUE or FALSE. Each answer that is false must be explained in writing in an attachment to this affidavit.

**STATEMENTS MADE UNDER OATH TO THE COURT:** Arizona law A.R.S. §14-5106 requires the person seeking appointment to answer items 1-15. Additionally, the Superior Court in Maricopa County requires the person to complete the information requested in item 16. This document must be filed with the Petition for Appointment of Guardian and/or Conservator.

1. ☐ True or ☐ False. I have not been convicted of a felony in any jurisdiction.
2. ☐ True or ☐ False. I have not acted as a guardian or conservator for another person for at least three years before I filed this Petition.
3. ☐ True or ☐ False. I know and understand the powers and duties I would have as a guardian and/or conservator.
4. ☐ True or ☐ False. I have not had a power of attorney for anyone for at least three years before I filed this Petition.
5. ☐ True or ☐ False. I am not, to the best of my knowledge, listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.
6. ☐ True or ☐ False. To the best of my knowledge, no business in which I have an interest is listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.
7. ☐ True or ☐ False. Arizona law requires that a guardian/conservator file an annual report/accounting with the court. If I have been a guardian/conservator before, I either filed the required documents on time, or within 3 months of receiving a notice from the court that the report/accounting was due.
8. ☐ True or ☐ False. I have never been removed by the court as a guardian or conservator.
9. ☐ True or ☐ False. The nature of my relationship to the proposed ward or protected person is:  
\_\_\_\_\_

10. ☐ True or ☐ False. I met the proposed ward under the following circumstances:  
\_\_\_\_\_
11. ☐ True or ☐ False. I have never received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance from an individual or the estate of an individual to whom I was not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.
12. ☐ True or ☐ False. No business in which I have an interest has ever received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance from an individual or the estate of an individual to whom I am not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.
13. ☐ True or ☐ False. To the best of my knowledge, I am not named as a personal representative, trustee, beneficiary, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
14. ☐ True or ☐ False. To the best of my knowledge, no business in which I have an interest is named as a personal representative, trustee, beneficiary, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
15. ☐ True or ☐ False. I have no interest in any business that provides housing, health care, nursing care, residential care, assisted living, home health services, or comfort care services to any individual.
16. Additional identifying information about the person seeking this appointment:
- |                              |                               |
|------------------------------|-------------------------------|
| Gender: _____                | Height: _____                 |
| Weight: _____                | Color of eyes: _____          |
| Color of Hair: _____         | Date of birth: _____          |
| Driver License Number: _____ | State issuing license: _____  |
| Expiration Date: _____       | Social Security Number: _____ |

**OATH OF THE PERSON SEEKING TO BE APPOINTED AS GUARDIAN AND CONSERVATOR:**

**STATE OF ARIZONA    )**  
**MARICOPA COUNTY    ) ss.**

I have read, understood, and completed the above statements and the attached document. Everything I have said is true and correct to the best of my knowledge, information, and belief.

SIGNATURE: \_\_\_\_\_

Subscribed and sworn to before me this date: \_\_\_\_\_ by \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**EXPLANATIONS THAT MUST BE ADDED TO THE AFFIDAVIT OF PERSON WHO WANTS TO BE APPOINTED (Required by Arizona Law: A.R.S. § 14-5106)**

You must explain the following as an attachment to your Affidavit for any statement which you marked "F" (false). **FILE THE EXPLANATIONS WITH THE AFFIDAVIT, BUT DO NOT FILE THIS INSTRUCTION SHEET.** All the information in the explanations is also under oath to the court.

1. As to each felony for which you have been convicted, list:
  - a. The nature of the offense.
  - b. The name and address of the sentencing court.
  - c. The case number.
  - d. The date of conviction.
  - e. The terms of the sentence.
  - f. The name and telephone number of any current probation or parole officer.
  - g. The reasons why the conviction should not disqualify you from appointment.
2. If you have acted as guardian or conservator within three years before filing this petition, list:
  - a. The names of individuals for whom you are currently serving, and court case numbers.
  - b. The names of individuals for whom your appointment has been terminated within the three-year period, and the court case number.
3. If you do not have the required information, please explain how you intend to obtain this information.
4. State the total number of persons for whom you have done this. If you have acted under a power of attorney for the proposed ward/protected person, explain:
  - a. The date the power of attorney was signed.
  - b. The place where it was signed.
  - c. The actions you have taken pursuant to the power of attorney.
  - d. Whether the power of attorney is currently in effect.
5. State the reason for such listing.
6. List the name(s) of the business(s) and the reason for each such listing.
7. List the name and location of the court and the name and case number of the files in which you were delinquent in filing the required report.
8. List the name and location of the court, the name and case number of each file, and the circumstances of your removal.
9. State the number of occasions on which you received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
10. State the number of occasions on which the business received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
11. State the number of occasions on which you have been so named.
12. State the number of occasions on which the business was named.
13. List the name and address of each business and the extent and nature of your interest.

Name of Person Filing Paper: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_

Case No. PB \_\_\_\_\_

## INSTRUCTIONS AND REQUEST FOR A HEARING DATE GUARDIANSHIP/CONSERVATORSHIP OF A MINOR

1. **Court Location:** There are 4 locations of the Superior Court in Maricopa County: Downtown Court Facility, (Phoenix); Northeast Court Facility, (Phoenix); Southeast Court Facility (Mesa) and Northwest Court Facility (Surprise). The Southeast Court is only for persons who live in Mesa, Tempe, Gilbert and Apache Junction to the southern border of the Salt River, but not Scottsdale. You may file your papers at any Superior Court location, but your hearing will be held at the downtown Phoenix location. Each location also has Court Administration.

**DOWNTOWN PHOENIX:** Probate Court Administration  
 Old Courthouse, 1<sup>st</sup> Floor,  
 125 West Washington, Phoenix, AZ 85003-2205

**NORTHEAST FACILITY:** Probate Court Administration  
 18380 N. 40<sup>th</sup> St.  
 Phoenix, AZ 85032

**SOUTHEAST FACILITY:** Probate Court Administration  
 222 East Javelina Drive,  
 2nd Floor, Suite 2100, Mesa, AZ 85210-6201

**NORTHWEST FACILITY:** Probate Court Administration  
 14264 West Tierra Buena Lane, Surprise, AZ 85374

2. **Court Documents:** After you file your forms with the Clerk's Office at the Court, take the following documents to Probate Court Administration at one of the addresses shown above:
- One copy of the **Petition for Permanent Appointment** stamped by the Clerk, AND
  - One copy off the **Affidavit of Person to be Appointed** stamped by the Clerk, AND
  - One copy of the **Consent of Parent to Guardianship/Conservatorship of a Minor** (if applicable), stamped by the Clerk, AND
  - The original of the **Request for Hearing**, AND
  - If required, a **Fingerprint Card** and a certified check or money order for \$29 made payable to Maricopa County Treasurer.
3. **Hearing Date and Time and Assignment of Judicial Officer:** Court Administration will set a hearing date and time and check the box of the judicial officer from the list below who will hear this matter.
- HEARING DATE AND TIME:** \_\_\_\_\_, at \_\_\_\_\_ a.m./ p.m.
- HEARING ADDRESS:** \_\_\_\_\_
4. **Notice of Hearing.** Court Administration will return this form to you after setting the date, time and place of your hearing. **Use this form to complete the NOTICE OF HEARING form, if necessary.**